

RESOLUTION NO. 1293
A RESOLUTION ADOPTING PROCEDURES FOR
REQUESTING INSPECTION OF PUBLIC RECORDS

WHEREAS the right of a person to inspect public records; procedures for requesting inspection of public records; procedures for copies of public records; setting a reasonable fee and the responsibility of the public body are required by state law; and

WHEREAS the City of Artesia adopted Resolution 996 in May, 2001 establishing a records policy and fee schedule; and

WHEREAS changes in technology require a review of categories and fees.

NOW, THEREFORE, BE IT RESOLVED by the City of Artesia:

1) The office of the City Clerk, the Main Bulletin Board of City Hall, Artesia Public Library, and the Artesia Police Department shall have a notice posted to describe (1) the right of a person to inspection public records, (2) procedures for requesting inspection of public records, (3) procedures for requesting copies of public records, (4) reasonable fees for copying public records; and (5) the responsibility of the City of Artesia to make public records available for inspection as in Exhibit "A".

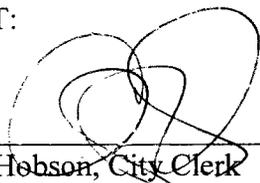
2) City staff is authorized to perform all the acts necessary in the accomplishment of the above.

3) Resolution 996 is hereby superceded.

PASSED, ADOPTED AND APPROVED this 25th day of March, 2008.


Phillip S. Burch, Mayor

ATTEST:



Aubrey Hobson, City Clerk

EXHIBIT 'A'

INSPECTION OF PUBLIC RECORDS POLICY

EVERYONE HAS A RIGHT TO INSPECT ANY PUBLIC RECORD OF THE CITY OF ARTESIA, EXCEPT:

1. Records concerning physical or mental examinations.
2. Letters of reference concerning employment, licensing or permits.
3. Letters which are matters of opinion in personnel files.
4. Law enforcement records revealing confidential sources.
5. As provided by the Confidential Materials Act.
6. As otherwise provided by law.

PROCEDURES FOR REQUESTING RECORDS:

1. An oral or written request is made to the custodian of record. The City Clerk is the custodian of record for the City of Artesia. If a record is readily available where it is created, stored, or maintained, the request may be made in that office. For example: Police incident records are in the Artesia Police Department and requests shall be made to the Records Section.
2. A written request shall provide the name, signature, address and telephone number of the person requesting review of records. Records shall be identified as accurately as possible. A form is available in any city office or can be downloaded from the City's website: www.artesianm.com
3. Inspection will be granted immediately, or as soon as practicable under circumstances, but no later than 15 days.
4. If the inspection is not granted within three (3) business days, the requester will receive a letter from the custodian of record identifying when the records will be available.
5. Confidential information in a specific record will be removed.
6. The City of Artesia is not required to create a record that does not exist.
7. Very difficult or large requests may take longer than fifteen (15) days. If time extends past fifteen (15) days, the requester will receive a letter from the custodian of record identifying when the records will be available.
8. If a request to inspect records is denied, the custodian of record will explain the denial.
9. If the custodian of record does not deliver the records requested, or denied the inspection of the records incorrectly, a penalty may be imposed on the city.
10. Actions to enforce the Inspection of Public Records Act are taken by the Attorney General, or the District Attorney.

FEES FOR REPRODUCTION OF PUBLIC RECORD:

Service	Description	Fee
Routine Copies of Documents	Up to 11 x 17. May be charged in advance. If mailing is expected, actual costs for postage will also be charged.	\$1.00 per page
Xerox Copies	Engineering Maps	\$1.00 per square foot
Ink Jet Plotter	Engineering design documents	\$3.00 per square foot
All Police/Accident Reports	Victim/Complainant All Others	First 3 pages free, \$1.00 per page thereafter \$1.00 per page
Photographs	Duplication	\$3.00 for 1-5 duplicates \$0.35 each thereafter
Video Tape Copy	VHS Format	\$10.00 per each tape transfer
Audio Tape Copy	Cassette Format	\$7.50 per each tape copy
Digital/ Electronic Records	CD/DVDt	\$5.00 \$2.50 each additional document/file transferred.
Criminal/Arrest History	No Record Found Record(s) Found	\$1.00 per page (not to exceed \$5.00) \$5.00 first page, \$1.00 per page thereafter (not to exceed \$10.00)
Fingerprinting	Job Related, non USINS	\$5.00 first card \$1.00 each additional card